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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FILED

MAR 14 2006

RICHARD W. AUKING  
CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

5 AT&T CORP.,

No. C04-03699 MJJ

6 Plaintiff,

**ORDER OF CONDITIONAL DISMISSAL**

7 v.

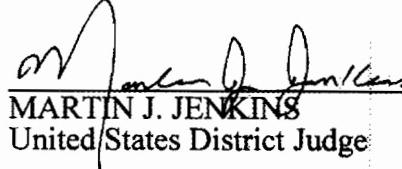
8 OPT4 DERIVATIVES, INC.,

9 Defendant.  
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10 The parties hereto, by their counsel, having advised the Court that they have agreed to a  
11 settlement of this case,

12 IT IS HEREBY ORDERED that this case be dismissed without prejudice; provided,  
13 however, that if any party hereto shall certify to this Court, within ninety days, with proof of service  
14 of a copy thereon on opposing counsel, that the agreed consideration for said settlement has not been  
15 delivered over, the foregoing Order shall stand vacated and this case shall forthwith be restored to  
16 the calendar to be set for trial.

17  
18 Dated: 3/14/2006

  
19 MARTIN J. JENKINS  
20 United States District Judge